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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/540,240	MIKADO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Samir M. Shah	2856	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/25/2006.
2. ☒ The allowed claim(s) is/are 8-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

Samir M. Shah

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Bennett on 7/27/2006.
3. The application has been amended as follows:
  - (a) As to claim 13, line 3, delete "said longitudinal end" and replace it with -- said fixed longitudinal end --.
  - (b) As to claim 13, line 14, delete "said electrode" and replace it with -- said other electrode in the first resonator --.
  - (c) As to claim 13, line 16, delete "said electrode" and replace it with -- said other electrode in the first resonator --.
  - (d) As to claim 13, line 19, delete "said electrode" and replace it with -- said other electrode in the second resonator --.
  - (e) As to claim 13, line 21, delete "said electrode" and replace it with -- said other electrode in the second resonator --.
  - (f) As to claim 14, line 1, delete "according to claim 8" and replace it with -- according to claim 13 --.

***Reasons for Allowance***

4. Claims 8-14 are allowed.

5. The following is an examiner's statement of reasons for allowable subject matter:

(a) As to claim 8, note is made of the limitations "only one longitudinal end...is fixed", "the other longitudinal end...is free", and "the vibrating section...is disposed closer to the fixed longitudinal end than to the free longitudinal end" in combination with the rest of the limitations in the claim. Note is also made of the benefit of "the vibrating section...is disposed closer to the fixed longitudinal end than to the free longitudinal end" in the Specification (see page 14, lines 1-10).

(b) The closest reference, Tabota (US Patent Application Publication 2002/0047700 A1) discloses an acceleration sensor including a base plate/intermediate layer (5), first and second resonators (3 and 4) each including piezoelectric material and each having electrodes (3a, 3b, 4a, 4b) on two opposite main surfaces thereof, each of the first and second resonators having a vibrating section at an intermediate portion of the resonator with respect to the longitudinal direction thereof (paragraph 0031, lines 1-19; paragraph 0032, lines 8-11), the first and second resonators (3 and 4) are attached to opposite sides of the base plate/intermediate layer (5) with respect to a direction in which acceleration is applied so as to define an acceleration-sensor element (2) (paragraph 0031, lines 1-5), one longitudinal end of the acceleration-sensor element is fixed such

that the first and second resonators (3 and 4) bend in the same direction in response to the acceleration (paragraph 0011, lines 13-17), and changes in frequency or changes in impedance in the first and second resonators (3 and 4) caused by the bending of the acceleration-sensor element (2) are differentially detected in order to detect the acceleration (paragraph 0011, lines 18-23), the acceleration-sensor element (2) is bendable about a central bending plane being positioned at a central portion of the base plate/intermediate portion (5) with respect to the application direction of acceleration (G) (figure 5); and the vibrating section of each of the first and second resonators (3 and 4) is disposed close to a fixed end of the acceleration-sensor element (figures 2, 3 and 5). Thus, Tabota fails to disclose, "the vibrating section...is disposed closer to the fixed longitudinal end than to the free longitudinal end".

(c) The prior art neither teaches nor provides a motivation to combine the above-mentioned limitations in combination with rest of the limitations in claim 8.

### ***Conclusion***

6. The prior art made of record and not relied upon, cited in the attached 892 form, is considered pertinent to applicant's disclosure.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

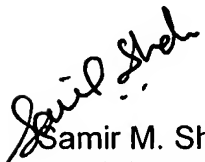
Art Unit: 2856


accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samir M. Shah whose telephone number is (571) 272-2671. The examiner can normally be reached on Monday-Friday 9:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Samir M. Shah  
Art Unit 2856  
7/27/2006

  
HEZRON WILLIAMS  
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